

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 26, 28 and 30-47 have been cancelled by the present amendment. New Claims 51-70 correspond to cancelled Claims 26, 28 and 30-47, respectively, except for their preamble and dependency. All of the claims now recite an assembly including the panel, and so the rejection under 35 U.S.C. § 112 is believed to be moot.

Claim 51 has been amended to recite that the panel can be fixed to a bearing structure by way of the point fastener. Basis for this is found in the preamble of original Claim 1 and the description at lines 14-16 of page 1. Claim 51 has also been amended to recite that the adjusting device is rigid. Basis for this is inherent in the disclosure of the stainless steel nuts 15-16 (p. 5, lines 11-26). The rigidity of the adjusting device is important for the claimed fixing of the panel to a bearing structure; since the adjusting device is rigid, the panel can be held securely thereby.

The present invention can fix a panel to a bearing structure by relying on forces extending roughly in the plane of the panel (page 2, lines 12-15), so that the additional thickness required for fixing is minimal. To this end, it is based on a point fastener having anchoring points configured to engage transverse edge surfaces of the panel having a portion of the panel interposed therebetween, wherein an adjusting device applies a force to draw the first and second anchoring parts toward one another. Therefore, upon the application of the force in a direction parallel to the faces of the panel and along a line connecting the anchoring parts, the anchoring parts will be drawn toward one another and will thereby bear against the interposed portion of the panel.

Claim 51 was newly rejected under 35 U.S.C. § 102 as being anticipated by U.S. patent 222,279 (Johnson). It is respectfully submitted, however, that amended Claim 51 defines over this prior art.

Johnson discloses a picture frame comprising a front glass panel A-B provided with a hole “c” by which the frame can be suspended on a hook or nail. To prevent the glass frame from being chipped, it is backed by a guard C having an aperture “d” positioned within the hole “c.” A photograph G is positioned behind the guard C and is held in position on the frame A-B by elastic cords D secured by bail E and hooks F hooked over edges of the frame.

According to the Office Action, the bail E and hooks F comprise anchoring parts, and the elastic cords D comprise adjusting devices. However, even given this interpretation, the claims now define over this prior art. As may be appreciated, the picture frame is not fixed to a bearing structure by the bail E, hooks F and elastic cords D. Instead, this structure is intended to hold the picture G in place without damaging it or the frame, and so the cords D are *elastic* and not “rigid” adjusting devices as is now claimed. Accordingly, the claims are not anticipated by this prior art.

Moreover, it would not have been obvious for one skilled in the art to have replaced the elastic cords D with rigid adjusting devices, since this modification would serve no purpose in Johnson but would risk damage to the frame or picture. For this reason, the claims also would not have been obvious over Johnson in view of further prior art, such as Prenergast, teaching the existence of rigid adjusting devices, *per se*.

Claim 60 further recites that the fixing system comprises two of the point fasteners, each being positioned on a different side of the panel. An example of this is shown by the point fasteners 7-8 on either side of the panel 1 in Fig. 2. This is also not taught in the cited prior art wherein the elastic cords D are both on the same side of the frame.

Since Claim 51 is believed to be allowable, it is respectfully requested that the dependent withdrawn Claims 53, 56, 61, and 65-70 be included in any patent issuing from the present application.

Applicants therefore believe that the present application is in a condition for allowance and respectfully solicit an early Notice of Allowability.

Respectfully submitted,

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